

03/04/02

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Express Mail Label No. ET 720934726 US

059 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
21349/10

Total Pages in this Submission  
93

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

NEW POLYNUCLEOTIDES AND POLYPEPTIDES OF THE INTERFERON ALPHA-2 GENE

and invented by:

Jean-Louis Escary

059 U.S. PTO  
10/087325

03/04/02

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 77 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☒ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☒ Formal      Number of Sheets      4
- b. ☐ Informal      Number of Sheets      \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☒ Newly executed (original or copy)      ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☒ Computer Readable Form (CFR)
- b. ☒ Specification Sequence Listing on:
- i. ☒ CD-ROM or CD-R (2 copies); or
- ii. ☒ Paper
- c. ☒ Statement(s) Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

9. ☒ Assignment Papers (cover sheet & document(s)) ✓
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class      ☒ Express Mail (Specify Label No.): ET 720934726 US

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## Accompanying Application Parts (Continued)

17. Applicant claims small entity status. See 37 CFR 1.27.

☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_

17. ☐ Additional Enclosures (please identify below):

## Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

## Warning

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

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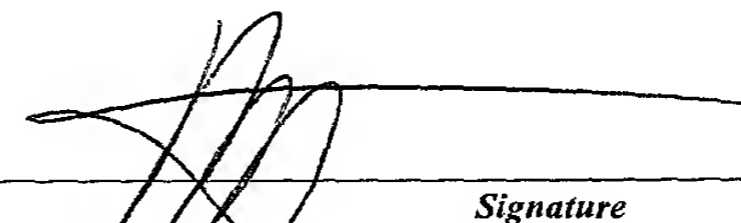
## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	40	- 20 =	20	x \$9.00	\$180.00
Indep. Claims	8	- 3 =	5	x \$42.00	\$210.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$370.00
OTHER FEE (specify purpose) <u>Assignment</u>					\$40.00
TOTAL FILING FEE					\$800.00

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **50-0369** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$800.00** as filing fee.
- ☐ Credit any overpayment.
- ☐ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **March 1, 2002**

  
Signature

Janice L. Kugler, Esq.  
Reg. No. 50,429  
Brown Rudnick Berlack Israels, LLP  
Customer No. 21710  
One Financial Center  
Boston, MA 02111  
Tel: 617-856-8290  
Fax: 617-856-8201

CC:

PATENT

Attorney Docket No.: 21349/10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

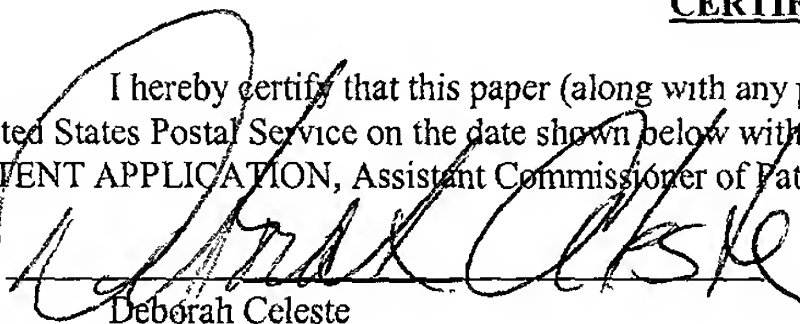
APPLICANT: Jean-Louis Escary

FOR: *New Polynucleotides and Polypeptides of the Interferon Alpha-2 Gene*

CERTIFICATE OF EXPRESS MAIL

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as express mail in an envelope addressed to the: BOX PATENT APPLICATION, Assistant Commissioner of Patents, 2900 Crystal Drive, Arlington, VA 22202 on December 6, 2001

By:

  
Deborah Celeste

Express Mail No.: ET720934726US

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Arlington, VA 22202

#1091685 - 21349/10

1091685-21349/10

PATENT

Attorney Docket No.: 21349/10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jean-Louis Escary

FOR: *New Polynucleotides and Polypeptides of the Interferon Alpha-2 Gene*

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as express mail in an envelope addressed to the: BOX PATENT APPLICATION, Assistant Commissioner of Patents, Washington, D.C. 20231 on December 6, 2001

By:

  
Deborah Celeste

Express Mail No.: ET720934726US

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**LETTER**

Sir:

Applicant declares that the enclosed Sequence Listing information recorded in computer readable form is identical to the paper copy sequence listing. Applicant requests that the paper copy be entered into the file

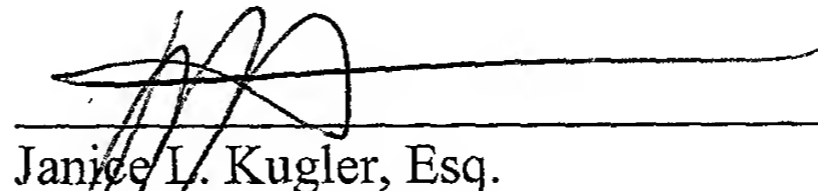
100639-030400

Express Mail No. ET720934726US

Docket No: 21349/10

Please charge any fees due to Deposit Account No. 50-0369.

Respectfully submitted,



Janice L. Kugler, Esq.

Registration No. 50,429

Customer No. 21710

Attorney for Applicants

BROWN RUDNICK BERLACK ISRAELS LLP

One Financial Center

Boston, MA 02111

(617) 856-8340

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